REMARKS

In the Office Action[1], the Examiner rejected claims 53 and 55 under 35 U.S.C.

§ 102(b) as anticipated by U.S. Patent No. 5,987,414 to Sabourin et al. ("*Sabourin*");

rejected claims 1, 2, 4, 6-9, 11-17, 20-25, and 27-30 under 35 U.S.C. § 103(a) as being

unpatentable over U.S. Patent No. 6,122,361 to Gupta ("*Gupta*") in view of U.S. Patent

No. 6,122,614 to Kahn et al. ("*Kahn*") and further in view of U.S. Patent No. 6,668,044

to Schwartz et al. ("*Schwartz*"); rejected claims 3, 10, 18, 19, and 26 under 35 U.S.C.

§ 103(a) as unpatentable over *Gupta* in view of U.S. Patent No. 5,799,065 to Junqua et

al. ("*Junqua*") in view of *Kahn* and in further view of *Schwartz*; and rejected claim 54

under 35 U.S.C. § 103(a) as unpatentable over *Sabourin* in view of U.S. Patent No.

4,959,855 to Daudelin ("*Daudelin*").

By this amendment, Applicants amend claims 1, 6-8, 10-14, 17, 18, 20, 22-26,

29, 30, and 53 -55. Claims 1-4, 6-30, and 53-55 are pending and under current

examination.

I.   The Rejections of Claims 53 and 55 under 35 U.S.C. § 102(b)

To properly anticipate Applicant's claimed invention under 35 U.S.C. § 102(b),

each and every element of the claim in issue must be found, either expressly described

or under principles of inherency, in a single prior art reference. Further, "[t]he identical

invention must be shown in as complete detail as is contained in the...claim." See

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[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

M.P.E.P. § 2131 (8th Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8th Ed. 2001), p. 2100-69. Applicant traverses the rejection of claims 53 and 55 under 35 U.S.C. § 102(b) for the following reasons.

Claim 53 recites, for example, a method for providing a directory assistance service, comprising "using statistical information retrieval and the transcript to identify a listing corresponding to the recognized word, including using the transcript as a query, the listings database storing words previously included in requests for telephone numbers, the query including matching the transcript to the stored words" (emphasis added). *Sabourin* fails to teach or suggest at least the claimed listings database.

Sabourin discloses selecting a vocabulary sub-set from a large speech recognition dictionary for use in a real time directory assistance system (*Sabourin*, abstract). The dictionary includes entries called "orthographies," and the vocal tract signal from a caller is matched to the orthographies within the dictionary (*Sabourin*, col. 5, lines 45-55). However, *Sabourin* does not disclose that the dictionary is populated with orthographies of words previously included in requests for a telephone number. Instead, *Sabourin* discloses that the speech recognition dictionary is created from the white pages, supplied by the telephone company (*Sabourin*, col. 7, lines 9-19), and the dictionary is generated by processing the text in the white pages (*Sabourin*, col. 10, lines 13-27). While *Sabourin* does disclose that call records are used in *Sabourin's* directory assistance system, the call records comprise only records of what listings have

been called, not requests for telephone numbers (*Sabourin*, col. 9, line 39, to col. 10, line 60). Therefore, *Sabourin* fails to teach or suggest the claimed "listings database storing words previously included in requests for telephone numbers."

Claim 55 recites a method of providing directory assistance, comprising "using the transcript to identify the listing as a potential match to the request, the listing being identified by using the transcript as a query into a database containing the set of words or phrases associated with the listing, the set of words or phrases associated with the listing being previously included in requests for telephone numbers" (emphasis added). As discussed above with respect to claim 53, *Sabourin* fails to teach or suggest using words included in previous requests for a telephone number. Therefore, *Sabourin* fails to teach or suggest the claimed "set of words or phrases associated with the listing being previously included in requests for telephone numbers."

Because *Sabourin* fails to teach at each and every recitation of claims 53 and 55, *Sabourin* cannot anticipate claims 53 and 55 under 35 U.S.C. § 102(b). Accordingly, Applicant respectfully requests the Examiner withdraw the rejection and allow claims 53 and 55.

II. The Rejections of Claims 1, 2, 4, 6-9, 11-17, 20-25, and 27-30 under 35 U.S.C. § 103(a)

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 2, 4, 6-9, 11-17, 20-25, and 27-30 because a *prima facie* case of obviousness has not been established with respect to these claims.

To establish a *prima facie* case of obviousness, three basic criteria must
be met. First, there must be some suggestion or motivation, either in the
references themselves or in the knowledge generally available to one of
ordinary skill in the art, to modify the reference or to combine reference
teachings. Second, there must be a reasonable expectation of success.
Finally, the prior art reference (or references when combined) must teach
or suggest all the claim limitations. The teaching or suggestion to make
the claimed combination and the reasonable expectation of success must
both be found in the prior art, and not based on applicant's disclosure. *In
re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). M.P.E.P.
§ 2142, 8th Ed., Rev. 2 (May 2004), p. 2100-128.

A *prima facie* case of obviousness has not been established because, among other

things, none of *Gupta*, *Kahn*, and *Schwartz*, taken alone or in combination, teach or

suggest each and every element recited by Applicants' claims.

Claim 1 recites, for example, an automated directory assistance system

comprising a "listing retrieval module configured to retrieve a listing corresponding to the

audible request from a database, the listing retrieval module being configured to use the

transcript as a query, the database storing words previously included in requests for

telephone numbers." (emphasis added). None of *Gupta*, *Kahn*, and *Schwartz* teaches

or suggests at least the claimed database.

Gupta discloses a directory assistance system that matches a spoken request for

a locality with the locality that the speaker is most likely requesting (*Gupta*, abstract).

Gupta further discloses that the system comprises a speech recognition dictionary that

includes orthographies that are matched to the spoken utterance (*Gupta*, col. 7, lines

18-22). However, *Gupta's* requests for a locality are not requests for a telephone

number. Moreover, *Gupta* does not disclose that the orthographies in the speech

dictionary are previously included in requests of any kind. Therefore, *Gupta* fails to

teach or suggest the claimed "database storing words previously included in requests for telephone numbers."

Kahn fails to cure the deficiencies of *Gupta*. *Kahn* is directed toward "automating transcription services" (*Khan,* abstract) and does not teach or suggest "words previously included in requests for [a] telephone number." Therefore, *Kahn* does not teach or suggest the claimed "database storing words previously included in requests for telephone numbers."

Schwartz fails to cure the deficiencies of *Gupta* and *Khan*. In *Schwartz,* "a system and method are disclosed for recording a telephone call upon demand" (*Schwartz,* abstract). Indeed, the Examiner relies on *Schwartz* for the proposition that "*Schwartz* teaches access[ing] an archive for a database query" (Office Action p. 3). However, *Schwartz* does not teach or suggest "words previously included in requests for telephone numbers." *Schwartz,* therefore, does not teach or suggest the claimed "database storing words previously included in requests for telephone numbers."

Accordingly, *Gupta*, *Khan*, and *Schwartz* fail to establish a *prima facie* case of obviousness with respect to claim 1, at least because the references fail to teach each and every element of the claim. Applicants do not presently address all of the criteria for failing to establish a prima facie case of obviousness because of the clear failure of the Gupta reference and the clear failure of the other references to cure Gupta's failure. However, Applicants reserve their rights to present additional arguments in future responses, if need be, in support of the proposition that the references fail to establish a prima facie case of obviousness based on such criteria. Claims 2, 4, 6-9, and 11-16

depend from claim 1 and are thus also allowable for at least the same reasons as claim 1.

Independent claims 17, 29, and 30, though of different scope from claim 1, recite limitations similar to those set forth above with respect to claim 1. Claims 17, 29, and 30 are therefore allowable for at least the reasons presented above with regard to claim 1. Claims 20-25, 27, and 28 are also allowable at least due to their dependence from claim 17.

III.   The Rejection of Claims 3, 10, 18, 19, and 26 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 3, 10, 18, 19, and 26 under 35 U.S.C. § 103(a). Claims 3 and 10 depend from claim 1, and claims 18, 19, and 26 depend from claim 17. As already discussed, *Gupta, Kahn, and Schwartz* fail to teach or suggest a "database storing words previously included in requests for telephone numbers." *Junqua* also fails to teach or suggest a "database storing words previously included in requests for telephone numbers."

Junqua discloses a call routing device that acts as a virtual operator, prompting callers to spell the name of the desired recipient of a phone call (*Junqua*, abstract). *Junqua* further discloses that the spelled letters are input to a speech recognition system (*Junqua*, col. 6, lines 25-29). However, *Junqua* does not disclose that the speech recognition system includes spelled letters, or any other words, previously included in requests for a telephone number. *Junqua* also discloses matching the spelled letters to a "name dictionary" (*Junqua*, col. 11, lines 23-25), but does not disclose that the name dictionary includes words previously included in requests for a

telephone number. Therefore, *Junqua* fails to teach or suggest the claimed "database storing words previously included in requests for telephone numbers."

For at least the reason that the cited references fail to teach or suggest the claimed "database storing words previously included in requests for telephone numbers," no *prima facie* case has been established with respect to claims 3, 10, 18, 19, and 26. Therefore, Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 103(a) and allow claims 3, 10, 18, 19, and 26.

IV.   The Rejection of Claim 54 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claim 54 under 35 U.S.C. § 103(a). Claims 54 depends from claim 53. As already discussed, *Sabourin* fails to teach or suggest a "listings database storing words previously included in requests for telephone numbers." *Daudelin* also fails to teach or suggest a "listings database storing words previously included in requests for telephone numbers."

Daudelin discloses an apparatus for automatically connecting a caller to another party, where the other party is identified by a directory number requested by the caller (*Daudelin*, abstract). The apparatus transmits an announcement to the caller that asks the caller whether a call to the other party should be initiated, and the caller can indicate by voice that the call should be placed (*Daudelin*, col. 1, line 49 to col. 2, line 10). However, *Daudelin* does not disclose using words previously included in requests for telephone numbers. Therefore, *Daudelin* fails to teach or suggest the claimed "listings database storing words previously included in requests for telephone numbers."

For at least the reason that the cited references fail to teach or suggest the claimed "listings database storing words previously included in requests for telephone numbers," no *prima facie* case has been established with respect to claim 54. Therefore, Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 103(a) and allow claim 54.

V. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: June 4, 2007   By: _____
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